

# **Presidential Appointments to Full-Time Positions in Independent and Other Agencies During the 112<sup>th</sup> Congress**

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## Summary

The President makes appointments to positions within the federal government, either using the authorities granted to the President alone or with the advice and consent of the Senate. This report identifies all nominations that were submitted to the Senate for full-time positions in 40 organizations in the executive branch (27 independent agencies, 6 agencies in the Executive Office of the President [EOP], and 7 multilateral organizations) and 4 agencies in the legislative branch. It excludes appointments to executive departments and to regulatory and other boards and commissions, which are covered in other reports.

Information for each agency is presented in tables. The tables include full-time positions confirmed by the Senate, pay levels for these positions, and appointment action within each independent agency. Additional summary information across all agencies covered in the report appears in the appendix.

During the 112<sup>th</sup> Congress, the President submitted 34 nominations to the Senate for full-time positions in independent agencies, agencies in the EOP, multilateral agencies, and legislative branch agencies. Of these 34 nominations, 27 were confirmed, 1 was withdrawn, and 6 were returned to him in accordance with Senate rules. For those nominations that were confirmed, a mean (average) of 142.7 days elapsed between nomination and confirmation. The median number of days elapsed was 112.0.

The President made one recess appointment to a full-time position in an independent agency during the 112<sup>th</sup> Congress.

Information for this report was compiled using the Senate nominations database of the Legislative Information System (LIS) at <http://www.lis.gov/nomis/>, the *Congressional Record* (daily edition), the *Weekly Compilation of Presidential Documents*, telephone discussions with agency officials, agency websites, the *United States Code*, and the 2012 *Plum Book (United States Government Policy and Supporting Positions)*.

This report will not be updated.

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## Introduction

The President is responsible for appointing individuals to positions throughout the federal government. In some instances, the President makes these appointments using authorities granted to the President alone. Other appointments are made with the advice and consent of the Senate via the nomination and confirmation of appointees. Presidential appointments with Senate confirmation are often referred to with the abbreviation PAS. This report identifies, for the 112<sup>th</sup> Congress, all nominations to full-time positions requiring Senate confirmation in 40 organizations in the executive branch (27 independent agencies, 6 agencies in the Executive Office of the President [EOP], and 7 multilateral organizations) and 4 agencies in the legislative branch. It excludes appointments to executive departments and to regulatory and other boards and commissions.

A pair of tables presents information for each agency in this report. The first table in each pair provides information on full-time positions requiring Senate confirmation as of the end of the 112<sup>th</sup> Congress and the pay levels of those positions. The second table for each agency tracks appointment activity within the 112<sup>th</sup> Congress by the Senate (confirmations, rejections, returns to the President, and elapsed time between nomination and confirmation) as well as further related presidential activity (including withdrawals and recess appointments). In some instances, no appointment action occurred within an agency during the 112<sup>th</sup> Congress.

Information for this report was compiled using the Senate nominations database of the Legislative Information System (LIS) at <http://www.lis.gov/nomis/>, the *Congressional Record* (daily edition), the *Weekly Compilation of Presidential Documents*, telephone discussions with agency officials, agency websites, the *United States Code*, and the 2012 *Plum Book (United States Government Policy and Supporting Positions)*.

Related Congressional Research Service (CRS) reports regarding the presidential appointments process, nomination activity for other executive branch positions, recess appointments, and other appointments-related matters may be found at <http://www.crs.gov>.<sup>1</sup>

## Appointments During the 112<sup>th</sup> Congress

During the 112<sup>th</sup> Congress, President Barack Obama submitted 34 nominations to the Senate for full-time positions in independent agencies, agencies in the EOP, multilateral agencies, and legislative branch agencies. Of these nominations, 27 were confirmed, 6 were returned to the President, and 1 was withdrawn. The President made one recess appointment during this period to a position in organizations covered in this report. **Table 1** summarizes the appointment activity.

<sup>1</sup> A collection of such reports may be found at <http://www.crs.gov/Pages/subissue.aspx?cliid=2153&parentid=12&Preview=False>.



**Table I. Appointment Action for Independent and Other Agencies  
During the 112<sup>th</sup> Congress**

<b>Number of Positions at Independent and Other Agencies (total)</b>	<b>113</b>
Positions to which nominations were made	32 <sup>a</sup>
Individual nominees	34 <sup>a</sup>
<b>Number of Nominations Submitted to the Senate (total)</b>	<b>34<sup>a</sup></b>
Disposition of nominations	
Confirmed by the Senate	27
Withdrawn	1
Returned at the end of the 2 <sup>nd</sup> session of the 112 <sup>th</sup> Congress	6
<b>Recess Appointments<sup>b</sup></b>	<b>1</b>

**Source:** Table developed by the Congressional Research Service (CRS) using data presented in the appendices of this report.

- a. The figures shown here reveal a distinction between the number of positions to which nominations were made (32), the number of individual nominees (34), and the total number of nominations submitted (34). This difference can occur for a few reasons. First, the President sometimes nominates more than one individual successively to an open position, usually following the return or withdrawal of the original nomination. Second, less frequently, the President nominates a single individual to more than one position over the course of the Congress. Again, this occurrence usually followed the return or withdrawal of the first nomination. For example, the President nominated Philip E. Coyle III to be the Associate Director of National Security and International Affairs at the Office of Science and Technology Policy, and the nomination was returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the standing rules of the Senate. The President then nominated Patricia K. Falcone for the same position. This was counted as one position to which a nomination was made, two individual nominees, and two nominations submitted. This case and other similar cases caused these three numbers to differ slightly.
- b. President Obama recess appointed Richard Cordray to be Director of the Consumer Financial Protection Bureau on January 4, 2012, and Cordray was later renominated and confirmed in the 113<sup>th</sup> Congress. President Obama also made three recess appointments to the National Labor Relations Board on the same date (January 4, 2012) that were later found to be constitutionally invalid by the Supreme Court. For more information, see CRS Report R43032, *Practical Implications of Noel Canning on the National Labor Relations Board: In Brief*, by Vivian S. Chu and Jon O. Shimabukuro and CRS Report RL33009, *Recess Appointments: A Legal Overview*, by Vivian S. Chu.

## Length of Time to Confirm a Nomination

The length of time a given nomination may be pending in the Senate varies widely.<sup>2</sup> Some nominations are confirmed within a few days, others are not confirmed for several months, and some are never confirmed. For each nomination covered by this report and confirmed in the 112<sup>th</sup> Congress, the report provides the number of days between nomination and confirmation (“days to

<sup>2</sup> The methodology used in this report to count the length of time between nomination and confirmation differs from that used in some earlier Congressional Research Service (CRS) reports prior to the 110<sup>th</sup> Congress. The statistics presented here include the days during which the Senate was adjourned for its summer recesses and between sessions of Congress. The change was instituted in the reports covering the 110<sup>th</sup> Congress, and it reduces the direct comparability of statistics in this report with those of the earlier research. A detailed explanation of this methodological change appears in Appendix E of CRS Report R41776, *Presidential Appointments to Full-Time Positions in Independent and Other Agencies During the 110<sup>th</sup> Congress*, by Maeve P. Carey and Henry B. Hogue.

confirm”). The mean (average) number of days elapsed between nomination and confirmation was 142.7.<sup>3</sup> The median number of days elapsed was 112.0.<sup>4</sup>

## Organization of this Report

### Agency Profiles

Agency profiles in this report are organized in two parts: a table listing the organization’s full-time PAS positions as of the end of the 112<sup>th</sup> Congress and a table listing appointment action for vacant positions during the 112<sup>th</sup> Congress. Data for these tables were collected from several authoritative sources.<sup>5</sup> As noted, some agencies had no nomination activity during this time.

In each agency profile, the first of the two tables identifies, as of the end of the 112<sup>th</sup> Congress, each full-time PAS position in the organization and its pay level.<sup>6</sup> For most presidentially appointed positions requiring Senate confirmation, the pay levels fall under the Executive Schedule, which, as of January 2013, ranged from level I (\$199,700) for Cabinet-level offices to level V (\$145,700) for lower-ranked positions.

The second table, the appointment action table, provides, in chronological order, information concerning each nomination. It shows the name of the nominee, position involved, date of nomination, date of confirmation, and number of days between receipt of a nomination and confirmation. It also notes actions other than confirmation (i.e., nominations returned to or withdrawn by the President).

The appointment action tables with more than one nominee to a position also list statistics on the length of time between nomination and confirmation. Each nomination action table provides the average “days to confirm” in two ways: mean and median. Although the mean is a more familiar measure, it may be influenced by outliers in the data. The median, by contrast, does not tend to be influenced by outliers. In other words, a nomination that took an extraordinarily long time might cause a significant change in the mean, but the median would be unaffected. Examining both numbers offers more information with which to assess the central tendency of the data.

### Additional Appointment Information

**Appendix A** provides two tables. **Table A-1** relists all appointment action identified in this report and is organized alphabetically by the appointee’s last name. Table entries identify the agency to which each individual was appointed, position title, nomination date, date confirmed or other final action, and duration count for confirmed nominations. In the final two rows, the table also includes the mean and median values for the days to confirm column.

<sup>3</sup> See **Appendix A** for more detailed summary information.

<sup>4</sup> The median is the midpoint of the range of all the numbers when arranged numerically. The median is less sensitive to outliers than the mean.

<sup>5</sup> Sources include the Senate nominations database of the Legislative Information System (LIS) at <http://www.lis.gov/nomis/>; the *Congressional Record* (daily edition); the *Weekly Compilation of Presidential Documents*; telephone discussions with agency officials; agency websites; the *United States Code*; and the 2012 *Plum Book* (U.S. Congress, House Committee on Oversight and Government Reform, *United States Government Policy and Supporting Positions*, 112<sup>th</sup> Cong., 2<sup>nd</sup> sess., committee print, December 1, 2012 [Washington: GPO, 2012]).

<sup>6</sup> The data collected on presidential appointments with the advice and consent of the Senate (PAS positions) at the end of the 112<sup>th</sup> Congress were collected as of the Senate’s last day of business on January 3, 2013. Beginning on January 4, 2013, agency officials were contacted and the lists of positions were finalized.

**Table A-2** provides summary data on the appointments identified in this report and is organized by agency type, including independent executive agencies, agencies in the EOP, multilateral organizations, and agencies in the legislative branch. The table summarizes the number of positions, nominations submitted, individual nominees, confirmations, nominations returned, and nominations withdrawn for each agency grouping. It also includes mean and median values for the number of days taken to confirm nominations in each category.

During the 112<sup>th</sup> Congress, the Presidential Appointments Streamlining and Efficiency Act (P.L. 112-166) was enacted, which eliminated the requirement for the Senate’s advice and consent for 163 positions in federal agencies.<sup>7</sup> A number of those positions, listed in **Appendix B**, have been included in previous versions of this tracking report. This report notes each agency and position affected.

**Appendix C** provides a list of department abbreviations.

# Nominations and Incumbents: Full-Time Positions in Independent Agencies

## Appalachian Regional Commission

**Table 2. Full-Time PAS Positions in the Appalachian Regional Commission**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Federal Cochair	III

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Pursuant to P.L. 112-166, which was enacted on August 10, 2012, after October 9, 2012, the position of alternate federal cochair of the Appalachian Regional Commission is no longer subject to Senate advice and consent and is appointed by the President alone. See **Appendix B** for a complete list of positions in independent agencies included in that legislation.

**Table 3. Appalachian Regional Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

<sup>7</sup> For more information on P.L. 112-166, see CRS Report R41872, *Presidential Appointments, the Senate’s Confirmation Process, and Changes Made in the 112<sup>th</sup> Congress*, by Maeve P. Carey.

## Broadcasting Board of Governors

**Table 4. Full-Time PAS Positions in the Broadcasting Board of Governors**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director, International Broadcasting Bureau	IV

**Source:** Created by CRS.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

**Table 5. Broadcasting Board of Governors Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Central Intelligence Agency

**Table 6. Full-Time PAS Positions in the Central Intelligence Agency**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director	II
Inspector General <sup>a</sup>	III + 3% <sup>b</sup>
General Counsel	IV

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of the Central Intelligence Agency's IG, however, the law provides that "The President shall communicate in writing to the intelligence committees the reasons for any such removal not later than 30 days prior to the effective date of such removal" (50 U.S.C. §3517(b)(6)).
- b. Under the provisions of 5 U.S.C. Appx. §3(e), "The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent."

**Table 7. Central Intelligence Agency Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
David H. Petraeus	Director	05/26/11	06/30/11	35

**Source:** Created by CRS.

## Consumer Financial Protection Bureau

**Table 8. Full-Time PAS Positions in the Consumer Financial Protection Bureau**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director <sup>a</sup>	II

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The position of Director of the Consumer Financial Protection Bureau was created by P.L. 111-203, §1011 (12 U.S.C. §5491).

**Table 9. Consumer Financial Protection Bureau Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Richard Cordray	Director	07/18/11	Returned 01/03/12 <sup>a</sup>	
Richard Cordray	Director		Recess Appointment 01/04/12 <sup>b</sup>	

**Source:** Created by CRS.

- a. Returned to the President at the end of the first session of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- b. President Obama recess appointed Richard Cordray to be Director of the Consumer Financial Protection Bureau on January 4, 2012. Cordray was later renominated and confirmed in the 113<sup>th</sup> Congress. President Obama also made three recess appointments to the National Labor Relations Board on the same date (January 4, 2012) that were later found to be constitutionally invalid by the Supreme Court. For more information, see CRS Report R43032, *Practical Implications of Noel Canning on the National Labor Relations Board: In Brief*, by Vivian S. Chu and Jon O. Shimabukuro and CRS Report RL33009, *Recess Appointments: A Legal Overview*, by Vivian S. Chu.

## Corporation for National and Community Service

**Table 10. Full-Time PAS Positions in the Corporation for National and Community Service**

(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
President and Chief Executive Officer	III
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Pursuant to P.L. 112-166, which was enacted on August 10, 2012, after October 9, 2012, the two Managing Director positions in the Corporation for National and Community Service are no longer subject to Senate advice and consent and are appointed by the President alone. See **Appendix B** for a complete list of positions in independent agencies included in that legislation.
- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- c. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”

**Table 11. Corporation for National and Community Service Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Wendy M. Spencer	President and Chief Executive Officer	10/18/11	03/29/12	163
Jonathan A. Hatfield	Inspector General	01/26/11	Withdrawn 04/08/11	

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Deborah J. Jeffrey	Inspector General	11/15/11	06/29/12	227
<b>Mean number of days to confirm</b>				<b>195.0</b>
<b>Median number of days to confirm</b>				<b>195.0</b>

**Source:** Created by CRS.

## Court Services and Offender Supervision Agency to the District of Columbia

**Table 12. Full-Time PAS Positions in the Court Services and Offender Supervision Agency to the District of Columbia**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director <sup>a</sup>	IV

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The position shown has a six-year term; an incumbent may be removed from office prior to the expiration of the term only for neglect of duty, malfeasance in office, or other good cause shown. (District of Columbia Code 24-133(b)(1)). There is no provision regarding removal or continuation in office after a term expires.

**Table 13. Court Services and Offender Supervision Agency to the District of Columbia Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Nancy M. Ware	Director	08/02/11	11/18/11	108

**Source:** Created by CRS.

## Delta Regional Authority

**Table 14. Full-Time PAS Positions in the Delta Regional Authority**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Federal Cochair	III

**Source:** Created by CRS.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

**Table 15. Delta Regional Authority Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Environmental Protection Agency

**Table 16. Full-Time PAS Positions in the Environmental Protection Agency**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Administrator	II
Deputy Administrator	III
Assistant Administrator – Inspector General <sup>a</sup>	III + 3% <sup>b</sup>
Assistant Administrator – Administration and Resource Management	IV
Assistant Administrator – Air and Radiation	IV
Assistant Administrator – Enforcement and Compliance Assurance	IV
Assistant Administrator – Environmental Information	IV
Assistant Administrator – International and Tribal Affairs	IV
Assistant Administrator – Chemical Safety and Pollution Prevention	IV
Assistant Administrator – Research and Development	IV
Assistant Administrator – Solid Waste and Emergency Response	IV
Assistant Administrator – Water	IV
Chief Financial Officer <sup>c</sup>	IV
General Counsel	IV

**Source:** Created by CRS.

**Notes** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- b. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- c. The chief financial officer may be appointed by the President with the advice and consent of the Senate or designated by the President from among agency officials confirmed by the Senate for another position (31 U.S.C. §901(a)(1)).



**Table 17. Environmental Protection Agency Appointment Action  
During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Kenneth J. Kopocis	Asst. Admin. – Water	06/13/11	Returned 01/03/13 <sup>a</sup>	
James J. Jones	Asst. Admin. – Chemical Safety and Pollution Prevention <sup>b</sup>	01/24/12	Returned 01/03/13 <sup>a</sup>	

**Source:** Created by CRS.

- a. Returned to the President at the end of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.
- b. This position is called Assistant Administrator – Toxic Substances in the Senate nominations database of the Legislative Information System. Within the Environmental Protection Agency, it is referred to as Assistant Administrator – Chemical Safety and Pollution Prevention.

## Federal Housing Finance Agency

**Table 18. Full-Time PAS Positions in the Federal Housing Finance Agency  
(as of the end of the 112<sup>th</sup> Congress)**

Position	Pay Level
Director	II
Inspector General <sup>a</sup>	III + 3% <sup>b</sup>

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- b. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”

**Table 19. Federal Housing Finance Agency Appointment Action  
During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Federal Mediation and Conciliation Service

**Table 20. Full-Time PAS Positions in the Federal Mediation and Conciliation Service**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director	III

**Source:** Created by CRS.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

**Table 21. Federal Mediation and Conciliation Service Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## General Services Administration

**Table 22. Full-Time PAS Positions in the General Services Administration**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Administrator	III
Inspector General <sup>a</sup>	III + 3% <sup>b</sup>

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”

**Table 23. General Services Administration Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Millennium Challenge Corporation

**Table 24. Full-Time PAS Positions in the Millennium Challenge Corporation**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Chief Executive Officer	II

**Source:** Created by CRS.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

**Table 25. Millennium Challenge Corporation Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## National Aeronautics and Space Administration

**Table 26. Full-Time PAS Positions in the National Aeronautics and Space Administration**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Administrator	II
Deputy Administrator	III
Inspector General <sup>a</sup>	III+ 3% <sup>b</sup>
Chief Financial Officer <sup>c</sup>	IV

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- b. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- c. The chief financial officer may be appointed by the President with the advice and consent of the Senate or designated by the President from among agency officials confirmed by the Senate for another position (31 U.S.C. §901(a)(1)).

**Table 27. National Aeronautics and Space Administration Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## National Archives and Records Administration

**Table 28. Full-Time PAS Positions in the National Archives and Records Administration**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Archivist <sup>a</sup>	III

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The President may remove the Archivist at any time but must communicate the reasons for such removal to both houses of Congress (44 U.S.C. §2103(a)).

**Table 29. National Archives and Records Administration Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## National Foundation on the Arts and Humanities

**Table 30. Full-Time PAS Positions in the National Foundation on the Arts and Humanities**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Chair – National Endowment for the Arts <sup>a</sup>	III
Chair – National Endowment for the Humanities <sup>b</sup>	III
Director – Institute of Museum and Library Services <sup>c</sup>	III

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Term of office is four years; when term expires, incumbent may remain in office until a successor is appointed (20 U.S.C. §954(b)(2)).
- b. Term of office is four years; when term expires, incumbent may remain in office until a successor is appointed (20 U.S.C. §956(b)(2)).
- c. Term of office is four years (20 U.S.C. §9103(a)(2)).

**Table 31. National Foundation on the Arts and Humanities Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## National Science Foundation

**Table 32. Full-Time PAS Positions in the National Science Foundation**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director <sup>a</sup>	II
Deputy Director	III

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Term of office is six years, but the President may remove the incumbent at any time. The incumbent must leave office when term expires (42 U.S.C. §1864(a)).

**Table 33. National Science Foundation Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Cora B. Marrett	Deputy Director	01/05/11	05/26/11	141

**Source:** Created by CRS.

## Northern Border Regional Commission

**Table 34. Full-Time PAS Positions in the Northern Border Regional Commission**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Federal Cochair	III

**Source:** Created by CRS.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

**Table 35. Northern Border Regional Commission Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Office of the Director of National Intelligence

**Table 36. Full-Time PAS Positions in the Office of the Director of National Intelligence**

(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director	I
Principal Deputy Director	II
Director – National Counterterrorism Center	II
Inspector General <sup>a</sup>	III+3% <sup>b</sup>
General Counsel	IV
Chief Information Officer <sup>c</sup>	IV

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The position of Inspector General for the Office of the Director of National Intelligence (ODNI) was created by P.L. 111-259, §405 (50 U.S.C. §3033). The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- b. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”
- c. In the ODNI, the Chief Information Officer is also an Associate Director of National Intelligence.

**Table 37. Office of the Director of National Intelligence Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Stephanie O’Sullivan	Principal Deputy Director	01/05/11	02/17/11	43
Matthew G. Olsen	Director – National Counterterrorism Center	07/05/11	08/02/11	28
Irvin C. McCullough III	Inspector General	08/02/11	11/07/11	97
<b>Mean number of days to confirm</b>				<b>56.0</b>
<b>Median number of days to confirm</b>				<b>43.0</b>

**Source:** Created by CRS.

## Office of Government Ethics

**Table 38. Full-Time PAS Positions in the Office of Government Ethics**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director <sup>a</sup>	III

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Term of office is five years; the incumbent must leave office when the term expires (5 U.S.C. Appx. §401(b)).

**Table 39. Office of Government Ethics Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Walter M. Shaub Jr.	Director	05/24/12	01/01/13	222

**Source:** Created by CRS.

## Office of Personnel Management

**Table 40. Full-Time PAS Positions in the Office of Personnel Management**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director <sup>a</sup>	II
Deputy Director	III
Inspector General <sup>b</sup>	III + 3% <sup>c</sup>

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Term of office is four years, but the President may remove the incumbent at any time. The incumbent must leave office when the term expires (5 U.S.C. §1102(a)).
- b. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- c. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”

**Table 41. Office of Personnel Management Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Office of Special Counsel

**Table 42. Full-Time PAS Positions in the Office of Special Counsel**

(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Special Counsel <sup>a</sup>	V

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Term of office is five years; incumbent may continue to serve for one year after his or her term expires. The President may remove incumbent from office only for inefficiency, neglect of duty, or malfeasance in office (5 U.S.C. §1211(b)).

**Table 43. Office of Special Counsel Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Carolyn N. Lerner	Special Counsel	01/05/11	04/14/11	99

**Source:** Created by CRS.

## Overseas Private Investment Corporation

**Table 44. Full-Time PAS Positions in the Overseas Private Investment Corporation**

(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
President	III
Executive Vice President	IV

**Source:** Created by CRS.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

**Table 45. Overseas Private Investment Corporation Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.



## Peace Corps

**Table 46. Full-Time PAS Positions in the Peace Corps**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director	III
Deputy Director	IV

**Source:** Created by CRS.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

**Table 47. Peace Corps Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Small Business Administration

**Table 48. Full-Time PAS Positions in the Small Business Administration**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Administrator	III
Inspector General <sup>a</sup>	III+ 3% <sup>b</sup>
Deputy Administrator	IV
Chief Counsel for Advocacy	IV

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- b. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”

**Table 49. Small Business Administration Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Winslow L. Sargeant	Chief Counsel for Advocacy	01/26/11	11/18/11	296

**Source:** Created by CRS.

## Social Security Administration

**Table 50. Full-Time PAS Positions in the Social Security Administration**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Commissioner	I
Deputy Commissioner	II
Inspector General <sup>a</sup>	III + 3% <sup>b</sup>

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- b. Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”

**Table 51. Social Security Administration Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Trade and Development Agency

**Table 52. Full-Time PAS Positions in the Trade and Development Agency**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director	III

**Source:** Created by CRS.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

**Table 53. Trade and Development Agency Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## U.S. Agency for International Development

**Table 54. Full-Time PAS Positions in the U.S. Agency for International Development**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Administrator	II
Deputy Administrator	III
Inspector General <sup>b</sup>	III+ 3% <sup>c</sup>
Assistant Administrator – Africa	IV
Assistant Administrator – Asia	IV
Assistant Administrator – Latin America and Caribbean	IV
Assistant Administrator – Europe and Eurasia	IV
Assistant Administrator – Global Health	IV
Assistant Administrator – Economic Growth, Education, and Environment	IV
Assistant Administrator – Democracy, Conflict, and Humanitarian Assistance	IV
Assistant Administrator – Legislative and Public Affairs	IV
Assistant Administrator – Middle East	IV

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate. The U.S. Agency for International Development (USAID) is an independent establishment as defined by 5 U.S.C. §104, with certain limitations (22 U.S.C. §6563(a)). The USAID administrator “shall report to and be under the direct authority and foreign policy guidance of the Secretary of State” (22 U.S.C. §6592).

- Pursuant to P.L. 112-166, which was enacted on August 10, 2012, after October 9, 2012, the position of Assistant Administrator for Management in USAID is no longer subject to Senate advice and consent and is appointed by the President alone. See **Appendix B** for a complete list of positions, in independent agencies, included in that legislation.
- The President may remove an inspector general (IG) from office, as he may remove most other appointed officials in the departments. In the case of an IG, however, the law provides that “[i]f an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer” (5 U.S.C. Appx. §3(b)).
- Under the provisions of 5 U.S.C. Appx. §3(e), “The annual rate of basic pay for an inspector general (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”

**Table 55. U.S. Agency for International Development Nomination Action**  
**During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Eric G. Postel	Asst. Admin. – Economic Growth, Education, and Environment	01/05/11	03/03/11	57
Mara E. Rudman	Asst. Admin. – Middle East	02/17/11	09/13/11	208
Ariel Pablos-Mendez	Asst. Admin. – Global Health	03/14/11	06/30/11	108

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Earl W. Gast	Asst. Admin. – Africa	10/03/11	03/29/12	178
T. Charles Cooper	Asst. Admin. – Legislative and Public Affairs	09/11/12	01/01/13	112
<b>Mean number of days to confirm</b>				<b>132.6</b>
<b>Median number of days to confirm</b>				<b>112.0</b>

Source: Created by CRS.

## Nominations and Incumbents: Full-Time Positions in the Executive Office of the President

### Council of Economic Advisers

**Table 56. Full-Time PAS Positions in the Council of Economic Advisers**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Chair	II

Source: Created by CRS.

Notes: PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Pursuant to P.L. 112-166, which was enacted on August 10, 2012, after October 9, 2012, the positions of Member of the Council of Economic Advisers are no longer subject to Senate advice and consent and are appointed by the President alone. See **Appendix B** for a complete list of positions in independent agencies included in that legislation.

**Table 57. Council of Economic Advisers Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Katharine G. Abraham	Member <sup>a</sup>	01/26/11	04/14/11	78
Carl Shapiro	Member <sup>a</sup>	02/28/11	04/14/11	45
Alan B. Krueger	Member <sup>a</sup>	09/06/11	11/03/11	58
<b>Mean number of days to confirm</b>				<b>60.3</b>
<b>Median number of days to confirm</b>				<b>58.0</b>

Source: Created by CRS.

- a. Pursuant to P.L. 112-166, which was enacted on August 10, 2012, after October 9, 2012, the position of Member of the Council of Economic Advisers is no longer subject to Senate advice and consent and is appointed by the President alone. In this instance, a nomination was made prior to the enactment of P.L. 112-166.

## Council on Environmental Quality

**Table 58. Full-Time PAS Positions in the Council on Environmental Quality**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Chair <sup>a</sup>	II
Deputy Director – Office of Environmental Quality <sup>b</sup>	c

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- The Council on Environmental Quality consists of one member who serves as chair. The chair also serves as director of the Office of Environmental Quality (42 U.S.C. §4372(a)).
- According to the *United States Government Manual 2012*, “[t]he Council and [Office of Environmental Quality (OEQ)] are collectively referred to as the Council on Environmental Quality.”
- “The compensation of the Deputy Director shall be fixed by the President at a rate not in excess of the annual rate of compensation payable to the Deputy Director of the Bureau of the Budget [Deputy Director of the Office of Management and Budget]” (42 U.S.C. §4372(b)).

**Table 59. Council on Environmental Quality Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Office of Management and Budget

**Table 60. Full-Time PAS Positions in the Office of Management and Budget**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director	I
Deputy Director	II
Deputy Director – Management	II
Controller – Office of Federal Financial Management	III
Administrator – Office of Federal Procurement Policy	III
Administrator – Office of Information and Regulatory Affairs	III
Coordinator – U.S. Intellectual Property Enforcement	a

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- According to the 2012 edition of the *Plum Book*, the Coordinator for U.S. Intellectual Property Enforcement was a senior-level position (p. 5). With regard to pay for such positions, the *Plum Book* states, “The minimum pay for SL [Senior Level] positions is 120 percent of the rate of basic pay for GS-15, step 1. For agencies without a certified performance appraisal system, SL members’ pay may not exceed the rate

payable for level III of the Executive Schedule. For agencies with a certified performance appraisal system, SL members' pay may not exceed the rate payable for level II of the Executive Schedule. SL members are not entitled to locality-based comparability payments" (p. 204).

**Table 61. Office of Management and Budget Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Heather A. Higginbottom	Deputy Director	01/26/11	10/20/11	267

**Source:** Created by CRS.

## Office of National Drug Control Policy

**Table 62. Full-Time PAS Positions in the Office of National Drug Control Policy**  
(as of the end of the 112<sup>th</sup> Congress)

Position <sup>a</sup>	Pay Level
Director	II

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Pursuant to P.L. 112-166, which was enacted on August 10, 2012, after October 9, 2012, all four Deputy Director positions in the Office of National Drug Control Policy are no longer subject to Senate advice and consent and are appointed by the President alone. See **Appendix B** for a complete list of positions in independent agencies included in that legislation.

**Table 63. Office of National Drug Control Policy Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Marilyn A. Quagliotti	Dep. Dir. – Demand Reduction <sup>a</sup>	02/14/11	06/30/11	136
Michael A. Botticelli	Deputy Director	02/01/12	Returned 01/03/13 <sup>b</sup>	

**Source:** Created by CRS.

- a. Pursuant to P.L. 112-166, which was enacted on August 10, 2012, after October 9, 2012, the Deputy Director position in the Office of National Drug Control Policy is no longer subject to Senate advice and consent and is appointed by the President alone. In this instance, a nomination was made prior to the enactment of P.L. 112-166.
- b. Returned to the President at the end of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

## Office of Science and Technology Policy

**Table 64. Full-Time PAS Positions in the Office of Science and Technology Policy**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Director	I
Associate Director – Energy and Environment	III
Associate Director – National Security and International Affairs	III

Position	Pay Level
Associate Director – Science	III
Associate Director – Technology	III

**Source:** Created by CRS.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

**Table 65. Office of Science and Technology Policy Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Philip E. Coyle III	Assoc. Dir. – National Security and Int'l Affairs	01/26/11	Returned 01/03/12 <sup>a</sup>	
Patricia K. Falcone	Assoc. Dir. – National Security and Int'l Affairs	03/29/12	08/02/12	126

**Source:** Created by CRS.

- a. Returned to the President at the end of the first session of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

## Office of the U.S. Trade Representative

**Table 66. Incumbents in Full-Time PAS Positions in the Office of the U.S. Trade Representative**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
U.S. Trade Representative	I
Deputy U.S. Trade Representative	III
Deputy U.S. Trade Representative	III
Deputy U.S. Trade Representative	III
Chief Agricultural Negotiator	III

**Source:** Created by CRS.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

**Table 67. Office of the U.S. Trade Representative Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Michael W. Punke	Deputy U.S. Trade Rep.	01/26/11	10/21/11	268
Islam A. Siddiqui	Chief Agricultural Negotiator	01/26/11	10/21/11	268

**Source:** Created by CRS.



# Nominations and Incumbents: Full-Time Positions in Multilateral Organizations

## African Development Bank

**Table 68. Full-Time PAS Positions in the African Development Bank**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
U.S. Executive Director	a

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. “The Director ... representing the United States, if [a citizen] of the United States, may, in the discretion of the President, receive such compensation, allowances, and other benefits as, together with those received from the Bank and from the African Development Fund, may not exceed those authorized for a chief of mission under the Foreign Service Act of 1980” (22 U.S.C. §290i-2).

**Table 69. African Development Bank Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Asian Development Bank

**Table 70. Full-Time PAS Positions in the Asian Development Bank**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
U.S. Executive Director	a

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. “The Director may, in the discretion of the President, receive such compensation, allowances, and other benefits as, together with those received by him from the Bank, will equal those authorized for a chief of mission under the Foreign Service Act of 1980” (22 U.S.C. §285a(b)).

**Table 71. Asian Development Bank Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## European Bank for Reconstruction and Development

**Table 72. Full-Time PAS Positions in the European Bank for Reconstruction and Development**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
U.S. Director	a

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The statutory basis for this position, 22 U.S.C. §290I-1, makes no provision regarding the compensation of the position holder.

**Table 73. European Bank for Reconstruction and Development Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No nomination action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Inter-American Development Bank

**Table 74. Full-Time PAS Positions in the Inter-American Development Bank**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
U.S. Executive Director <sup>a</sup>	b
U.S. Alternate Executive Director <sup>a</sup>	b

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Term of office is three years; incumbent remains in office when a term expires until a successor is appointed (22 U.S.C. §283a(b)).
- b. “No person shall be entitled to receive any salary or other compensation from the United States for services as ... executive director” (22 U.S.C. §283a(c)).

**Table 75. Inter-American Development Bank Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## International Bank for Reconstruction and Development (World Bank)

**Table 76. Full-Time PAS Positions in the International Bank for Reconstruction and Development**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
U.S. Executive Director <sup>a</sup>	b
U.S. Alternate Executive Director <sup>c</sup>	b

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- Term of office is two years; the incumbent may remain in office when a term expires until a successor is appointed (22 U.S.C. §286a(a)).
- “No person shall be entitled to receive any salary or other compensation from the United States for services as ... executive director ... [or] alternate.” (22 U.S.C. §286a(d)(1)).
- Term of office is two years; the incumbent may remain in office when a term expires until a successor is appointed (22 U.S.C. §286a(b)).

**Table 77. International Bank for Reconstruction and Development Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Sara M. Aviel	U.S. Alternate Executive Director	09/06/11	05/24/12	261

**Source:** Created by CRS.

## International Joint Commission, United States and Canada

**Table 78. Full-Time PAS Positions in the International Joint Commission, United States and Canada**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Chair – U.S. Section	IV
Commissioner – U.S. Section	V
Commissioner – U.S. Section	V

**Source:** Created by CRS.

**Note:** PAS refers to presidential appointments with the advice and consent of the Senate.

**Table 79. International Joint Commission, United States and Canada  
Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
Dereth B. Glance	Commissioner – U.S. Section	03/10/11	06/30/11	112
Richard M. Moy	Commissioner – U.S. Section	03/10/11	06/30/11	112

**Source:** Created by CRS.

## International Monetary Fund

**Table 80. Full-Time PAS Positions in the International Monetary Fund  
(as of the end of the 112<sup>th</sup> Congress)**

Position	Pay Level
U.S. Executive Director <sup>a</sup>	b
U.S. Alternate Executive Director <sup>a</sup>	b

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Term of office is two years; the incumbent may remain in office when a term expires until a successor is appointed (22 U.S.C. §286a(a)).
- b. “No person shall be entitled to receive any salary or other compensation from the United States for services as ... executive director ... [or] alternate.” (22 U.S.C. §286a(d)(1)).

**Table 81. International Monetary Fund Appointment Action  
During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Nominations and Incumbents: Full-Time Positions in Legislative Branch Agencies

### Architect of the Capitol

**Table 82. Full-Time PAS Positions in the Architect of the Capitol  
(as of the end of the 112<sup>th</sup> Congress)**

Position	Pay Level
Architect of the Capitol <sup>a</sup>	b

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The architect is appointed to a 10-year term (2 U.S.C. §1801(a)(1)).
- b. As provided in 2 U.S.C. §1802, the “compensation of the Architect of the Capitol shall be at an annual rate which is equal to the lesser of the annual salary for the Sergeant at Arms of the House of Representatives or the annual salary for the Sergeant at Arms and Doorkeeper of the Senate.”

**Table 83. Architect of the Capitol Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Government Accountability Office

**Table 84. Full-Time PAS Positions in the Government Accountability Office**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Comptroller General <sup>a</sup>	b
Deputy Comptroller General <sup>c</sup>	b

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. The Comptroller General is appointed to a 15-year term, with no holdover provision when the term expires. He or she may be removed before the term expires by impeachment or by a joint resolution of Congress for permanent disability, inefficiency, neglect of duty, malfeasance, or a felony or conduct involving moral turpitude (31 U.S.C. §703(e)(1)).
- b. Under 31 U.S.C. §703(f), the “annual rate of basic pay of the – (1) Comptroller General is equal to the rate for level II of the Executive Schedule; and (2) Deputy Comptroller General is equal to the rate for level III of the Executive Schedule.”
- c. The term of the Deputy Comptroller General expires upon the appointment of a new Comptroller General or when a successor is appointed. No one has been nominated to this office for at least 30 years.

**Table 85. Government Accountability Office Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Government Printing Office

**Table 86. Full-Time PAS Positions in the Government Printing Office**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Public Printer	a

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Under 44 U.S.C. §303, the “annual rate of pay for the Public Printer shall be a rate which is equal to the rate for level II of the Executive Schedule under subchapter II of chapter 53 of title 5.”

**Table 87. Government Printing Office Appointment Action  
During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
William J. Boarman	Public Printer	01/26/11	Returned 01/03/12 <sup>a</sup>	

**Source:** Created by CRS.

- a. Returned to the President at the end of the first session of the 112<sup>th</sup> Congress under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

## Library of Congress

**Table 88. Full-Time PAS Positions in the Library of Congress**  
(as of the end of the 112<sup>th</sup> Congress)

Position	Pay Level
Librarian of Congress	a

**Source:** Created by CRS.

**Notes:** PAS refers to presidential appointments with the advice and consent of the Senate.

- a. Under 2 U.S.C. §136a-2(1), “the Librarian of Congress shall be compensated at an annual rate of pay which is equal to the annual rate of basic pay payable for positions at level II of the Executive Schedule under section 5313 of title 5.”

**Table 89. Library of Congress Appointment Action During the 112<sup>th</sup> Congress**

Nominee	Position	Date Nominated	Date Confirmed	Days to Confirm
No appointment action during the 112 <sup>th</sup> Congress				

**Source:** Created by CRS.

## Appendix A. Summary of All Nominations and Appointments to Independent and Other Agencies

**Table A-1. Nominations and Appointments to Full-Time Positions to Independent and Other Agencies, 112<sup>th</sup> Congress**

Nominee	Position	Agency <sup>a</sup>	Date Nominated	Date Confirmed	Days to Confirm
Katharine G. Abraham	Member	CEA	01/26/11	04/14/11	78
Sara M. Aviel	U.S. Alternate Executive Director	IBRD	09/06/11	05/24/12	261
William J. Boorman	Public Printer	GPO	01/26/11	Returned 01/03/12	
Michael A. Botticelli	Deputy Director	ONDCP	02/01/12	Returned 01/03/13	
T. Charles Cooper	Asst. Admin. – Legislative and Public Affairs	USAID	09/11/12	01/01/13	112
Richard Cordray	Director	CFPB	07/18/11	Returned 01/03/12	
Richard Cordray	Director	CFPB	Recess Appointment 01/04/12 <sup>b</sup>		
Philip E. Coyle III	Assoc. Dir. – National Security and Int'l Affairs	OSTP	01/26/11	Returned 01/03/12	
Patricia K. Falcone	Assoc. Dir. – National Security and Int'l Affairs	OSTP	03/29/12	08/02/12	126
Earl W. Gast	Asst. Admin. – Africa	USAID	10/03/11	03/29/12	178
Dereth B. Glance	Commissioner– U.S. Section	IJC	03/10/11	06/30/11	112
Jonathan A. Hatfield	Inspector General	CNCS	01/26/11	Withdrawn 04/08/11	
Heather A. Higginbottom	Deputy Director	OMB	01/26/11	10/20/11	267
Deborah J. Jeffrey	Inspector General	CNCS	11/15/11	06/29/12	227
James J. Jones	Asst. Admin. – Chemical Safety and Pollution Prevention	EPA	01/24/12	Returned 01/03/13	
Kenneth J. Kopocis	Asst. Admin. – Water	EPA	06/13/11	Returned 01/03/13	
Alan B. Kreuger	Member	CEA	09/06/11	11/03/11	58
Carolyn N. Lerner	Special Counsel	OSC	01/05/11	04/14/11	99
Cora B. Marrett	Deputy Director	NSF	01/05/11	05/26/11	141
Irvin C. McCullough III	Inspector General	ODNI	08/02/11	11/07/11	97
Richard M. Moy	Commissioner – U.S. Section	IJC	03/10/11	06/30/11	112
Stephanie O'Sullivan	Principal Deputy Director	ODNI	01/05/11	02/17/11	43
Matthew G. Olsen	Director – National Counterterrorism Center	ODNI	07/05/11	08/02/11	28
Ariel Pablos-Mendez	Asst. Admin. – Global Health	USAID	03/14/11	06/30/11	108
David H. Petraeus	Director	CIA	05/26/11	06/30/11	35

Nominee	Position	Agency <sup>a</sup>	Date Nominated	Date Confirmed	Days to Confirm
Eric G. Postel	Asst. Admin. – Economic Growth, Education, and Environment	USAID	01/05/11	03/03/11	57
Michael W. Punke	Deputy U.S. Trade Rep.	OUSTR	01/26/11	10/21/11	268
Marilyn A. Quagliotti	Dep. Dir. – Demand Reduction	ONDCP	02/14/11	06/30/11	136
Mara E. Rudman	Asst. Admin. – Middle East	USAID	02/17/11	9/13/11	208
Winslow L. Sargeant	Chief Counsel for Advocacy	SBA	01/26/11	11/18/11	296
Carl Shapiro	Member	CEA	02/28/11	04/14/11	45
Walter M. Shaub Jr.	Director	OGE	05/24/12	01/01/13	222
Islam A. Siddiqui	Chief Agricultural Negotiator	OUSTR	01/26/11	10/21/11	268
Wendy M. Spencer	Chief Executive Officer	CNCS	10/18/11	03/29/12	163
Nancy M. Ware	Director	CSOSA	08/02/11	11/18/11	108
<b>Mean number of days to confirm nomination</b>					<b>142.7</b>
<b>Median number of days to confirm nomination</b>					<b>112.0</b>

**Source:** Table created by CRS using data found in the Senate nominations database of the Legislative Information System at <http://www.lis.gov/nomis>.

- a. The key to the agency acronyms may be found in **Appendix C**.
- b. President Obama recess appointed Richard Cordray to be Director of the Consumer Financial Protection Bureau on January 4, 2012. Cordray was later renominated and confirmed in the 113<sup>th</sup> Congress. President Obama also made three recess appointments to the National Labor Relations Board on the same date (January 4, 2012) that were later found to be constitutionally invalid by the Supreme Court. For more information, see CRS Report R43032, *Practical Implications of Noel Canning on the National Labor Relations Board: In Brief*, by Vivian S. Chu and Jon O. Shimabukuro and CRS Report RL33009, *Recess Appointments: A Legal Overview*, by Vivian S. Chu.



**Table A-2. Appointment Action by Agency Type, 112<sup>th</sup> Congress**

Agency Type	Positions	Nominations	Individual Nominees	Confirmations	Nominations Returned	Nominations Withdrawn	Recess Appointments <sup>a</sup>	Mean/Median Days to Confirm
Independent Agencies	76	20	20	16	3	1	1	132.6/110.0
Executive Office of the President	21	10	10	8	2	0	0	155.8/131.0
Multilateral Organizations	12	3	3	3	0	0	0	na
Legislative Agencies	5	1	1	0	1	0	0	na
<b>Total</b>	<b>113</b>	<b>34</b>	<b>34</b>	<b>27</b>	<b>6</b>	<b>1</b>	<b>1</b>	<b>142.7/112.0</b>

**Source:** Table created by CRS using the data compiled for this report.

- a. President Obama recess appointed Richard Cordray to be Director of the Consumer Financial Protection Bureau on January 4, 2012. Cordray was later renominated and confirmed in the 113<sup>th</sup> Congress. President Obama also made three recess appointments to the National Labor Relations Board on the same date (January 4, 2012) that were later found to be constitutionally invalid by the Supreme Court. For more information, see CRS Report R43032, *Practical Implications of Noel Canning on the National Labor Relations Board: In Brief*, by Vivian S. Chu and Jon O. Shimabukuro and CRS Report RL33009, *Recess Appointments: A Legal Overview*, by Vivian S. Chu.

## Appendix B. Positions Affected by P.L. 112-166

**Table B-1. Positions in Independent and Other Agencies That No Longer Require Senate Confirmation Under P.L. 112-166**

Agency <sup>a</sup>	Position
ARC	Alternate Federal Cochair
CEA	Member (2)
CNCS	Managing Directors (2)
ONDCP	Deputy Directors (4) <sup>b</sup>
ONHIR <sup>c</sup>	Commissioner
SSS <sup>c</sup>	Director
USAID	Assistant Administrator – Management

**Source:** Created by CRS.

**Notes:** For more explanation on changes to the appointments process as a result of P.L. 112-166, the Presidential Appointments Streamlining and Efficiency Act, and a complete list of positions that no longer require Senate confirmation, see CRS Report R41872, *Presidential Appointments, the Senate's Confirmation Process, and Changes Made in the 112<sup>th</sup> Congress*, by Maeve P. Carey.

- a. The key to the agency acronyms may be found in **Appendix C**
- b. Includes Deputy Directors for Demand Reduction; Supply Reduction; and State, Local, and Tribal Affairs. The fourth position was simply entitled Deputy Director.
- c. This agency no longer appears in the main body of the report because, after P.L. 112-166, it no longer had any full-time positions that were presidentially appointed with the advice and consent of the Senate.

# Appendix C. Agency Abbreviations

**Table C-1. Agency Abbreviations**

<b>Independent Agencies</b>	
ARC	Appalachian Regional Commission
BBG	Broadcasting Board of Governors
CIA	Central Intelligence Agency
CFPB	Consumer Financial Protection Bureau
CNCS	Corporation for National and Community Service
CSOSA	Court Services and Offender Supervision Agency for the District of Columbia
DRA	Delta Regional Authority
EPA	Environmental Protection Agency
FHFA	Federal Housing Finance Agency
FMCS	Federal Mediation and Conciliation Service
GSA	General Services Administration
MCC	Millennium Challenge Corporation
NARA	National Archives and Records Administration
NASA	National Aeronautics and Space Administration
NFAH	National Foundation on the Arts and Humanities
NSF	National Science Foundation
NBRC	Northern Border Regional Commission
ODNI	Office of the Director of National Intelligence
OGE	Office of Government Ethics
ONHIR	Office of Navajo and Hopi Indian Relocation
OPIC	Overseas Private Investment Corporation
OPM	Office of Personnel Management
OSC	Office of Special Counsel
PC	Peace Corps
SBA	Small Business Administration
SSA	Social Security Administration
SSS	Selective Service System
TDA	Trade Development Agency
USAID	United States Agency for International Development
<b>Executive Office of the President (EOP)</b>	
CEA	Council of Economic Advisers
CEQ	Council on Environmental Quality
OMB	Office of Management and Budget

Independent Agencies	
ONDCP	Office of National Drug Control Policy
OSTP	Office of Science and Technology Policy
OUSTR	Office of U.S. Trade Representative
Multilateral Banking Organizations	
AfDB	African Development Bank
AsDB	Asian Development Bank
EBRD	European Bank for Reconstruction and Development
IADB	Inter-American Development Bank
IBRD	International Bank for Reconstruction and Development
IJC	International Joint Commission, U.S. and Canada
IMF	International Monetary Fund
Legislative Branch Agencies	
AOC	Architect of the Capitol
GAO	Government Accountability Office
GPO	Government Printing Office
LOC	Library of Congress

**Source:** Created by CRS.

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